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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,454	01/30/2004	Richard Craig Beesley	038819.53225US	3942
23911	7590	10/02/2006	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			DINH, KHANH Q	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,454

Applicant(s)

BEESLEY ET AL.

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/03/2006 has been entered.

2. Claim 6 is cancelled. Claims 1-5 and 7-12 are presented for examination.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5 and 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Araujo et al. (hereafter Araujo), US pub. No.2003/0191799 A1.

As to claim 1, Araujo discloses a method of communicating over a public data network, the method comprising:

transmitting to a remote server (70 fig.1) on the network a request for web browsing software stored on the server to be downloaded a terminal (10 fig.1) connected to the network (see abstract, fig.1, [0062] to [0064]);

receiving the web browsing software at the terminal (see [0064]);

using the web browsing software from the terminal over the public data network;

wherein at least one of the following is true:

wherein, the web browsing software is configured such that user input data, input to the web browsing software by user of the terminal, is transmitted into the network without storing a record of said input data being stored at the terminal (see [0065] to [0068]); and

data which are received at the terminal by the web browsing software, at the request of the user are presented to the user without a record of the data being stored at the terminal (see [0067] to [0069]).

As to claim 2, Araujo discloses the browsing software is Java Applet (see [0134]).

As to claim 3, Araujo discloses the web browsing software is for communicating with web sites (see [0066] to [0069]).

As to claim 4, Araujo discloses the web browsing software is downloaded by and runs within a further browsing software provided on the terminal (see [0064]).

As to claim 5, Araujo discloses wherein the further browsing software is a Web Browser (see [0064] to [0065]).

As to claim 7, Araujo discloses the browsing software is arranged to communicate with the public data network via a Web Browser application running on a remote server (see fig.2,).

As to claim 8, Araujo discloses the Web Browser application retrieving web pages from the network on behalf of the browsing software and the browsing software receives the Web Pages in a non graphical format from the Web Browser application (see fig.2, col.6 lines 17-58 and col.8 lines 3-63).

As to claim 9, Araujo discloses wherein no copy of the data transmitted to the network or received from the network by the application is cached at the terminal or written to permanent memory[0065] to [0068]).

As to claim 10, Araujo discloses wherein no record of a network address visited by the application from the terminal is stored at the terminal (see [0069] to [0072 and [0096] to [0101]).

As to claim 11, Araujo discloses wherein the network address is any an IP address, domain name URL (see fig.6, [0109] to [0111]).

Claim 12 is rejected for the same reasons set forth claim 1.

Response to Arguments

6. Applicant's arguments with respect to claims 1-5 and 7-12 have been considered but are moot in view of the new ground(s) of rejection.

Other prior art cited

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Kikinis, US pat. No.6,055,566.
- b. Murata, US pat. No.6,330,067.

Conclusion

8. Claims 1-5 and 7-12 are rejected.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KHANH DINH
PRIMARY EXAMINER
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